

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

CLAUDE GENE LEE, SR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 1:06-CV-874-MHT
	)	
WESTPOINT HOME, INC.,	)	
	)	
Defendant.	)	

**DEFENDANT WESTPOINT HOME, INC.'S  
DESIGNATION OF DEPOSITION EXCERPTS**

Defendant WestPoint Home, Inc. ("WestPoint"), pursuant to the Court's Scheduling Order in this matter and Rule 26(a)(3) of the Federal Rules of Civil Procedure, designates the following deposition excerpts:

- I. The following portions of the deposition of Claude Gene Lee taken on July 17, 2007:  
34, 47, 53-58, 60, 66-74, 77-79, 88-89, 93-100, 102-109, 166-168.
- II. The following portions of the deposition of Frank Major taken on August 29, 2007:  
47-48, 50-54, 63-68, 82-83, 94-103, 131-132, 144, 160-164.
- III. Any portion of any deposition cited by WestPoint in support of its Motion for Summary Judgment.
- IV. WestPoint reserves the right to use all or any portion of the deposition of any witness taken in this matter, if the witness is unavailable for trial.
- V. WestPoint reserves the right to use all or any portion of the deposition taken in this matter for the purposes of rebuttal and/or impeachment.
- VI. WestPoint reserves the right to use any and all parts of Plaintiff's deposition for any and all purposes permitted under the Federal Rules of Civil Procedure.

Respectfully submitted this 12th day of September, 2007.

/s/Kelly F. Pate

One of the Attorneys for Defendant WestPoint  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing and/or that a copy of the foregoing has been served upon the following by placing a copy of same in the United States mail, properly addressed and postage prepaid, on this 12th day of September, 2007:

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Of Counsel